

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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CATHERINE V. SIKORSKI and JOHN SIKORSKI,

Docket No. 07 Civ. 3906  
(CLB) (LMS)

Plaintiffs,

- against -

FULTON CHEVROLET-CADILLAC CO., INC.,  
FULTON CHEVROLET CO., INC., HIGH POINT  
CHEVROLET, INC., FULTON/HIGH POINT  
CHEVROLET GROUP HEALTH BENEFIT  
PROGRAM, SIEBA, LTD., and JOHN DOES  
“1” through “3”, Whose Identities are Currently  
Unknown,

Defendants.

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Defendant, Sieba, Ltd., by its attorneys, L'Abbate, Balkan, Colavita & Contini, L.L.P., as  
and for its disclosure required by Fed.R.Civ.P. 26, set forth the following:

1. The following individuals are likely to have discoverable information which  
defendants may use to support their claims:

John A. Worts  
President  
Fulton HighPoint Chevrolet  
P.O. Box 519  
Middletown, New York 10940-0519

Lori Pritchard  
HR Manager  
Fulton HighPoint Chevrolet  
P.O. Box 519  
Middletown, New York 10940-0519

Kenneth R. Hutchings  
Broker/Consultant

The Anchor Group  
131 East Ames Court  
Plainview, New York 11803

Richard DoBell  
President  
Sieba, Ltd.  
P.O. Box 5000  
111 Grant Avenue, Suite 100  
Endicott, New York 13761-5000

Diana DoBell  
c/o Sieba, Ltd.  
P.O. Box 5000  
111 Grant Avenue, Suite 100  
Endicott, New York 13761-5000

Karen Baxendale  
Client Services  
Sieba, Ltd.  
P.O. Box 5000  
111 Grant Avenue, Suite 100  
Endicott, New York 13761-5000

Kate Rogers  
Director of Claims Management  
Sieba, Ltd.  
P.O. Box 5000  
111 Grant Avenue, Suite 100  
Endicott, New York 13761-5000

Mary Anne DeWitt  
Sieba Internal Auditor  
P.O. Box 5000  
111 Grant Avenue, Suite 100  
Endicott, New York 13761-5000

Suzi Johnson  
Avemco Insurance Company  
Three Town Park Commons  
225 Town Park Drive, Suite 145  
Kennesaw, Georgia 30144

LeAnn M. Mischal  
Capitol Special Risks  
1899 Powers Ferry Road, Suite 100  
Atlanta, Georgia 30339

Todd Partain  
Capitol Special Risks  
1899 Powers Ferry Road, Suite 100  
Atlanta, Georgia 30339

Debra M. Lightner  
Horizon Blue Cross/Blue Shield of New Jersey  
3 Penn Plaza East, Suite 16F  
Newark, New Jersey 07105

Wanda D. Green  
Manager, Hey Accounts Service Unit  
Multiplan  
115 5<sup>th</sup> Avenue  
New York, New York 10003

2. The following documents upon which defendants may rely at trial are enclosed herewith:
  - (a) Correspondence between parties and counsel;
  - (b) Correspondence between parties and the New Jersey Department of Banking and Insurance;
  - (c) Claims file documents;
  - (d) Documents regarding Plaintiff's medical care;
  - (e) Plaintiff's medical bills;
  - (f) Third Party Administration Service Agreement;
  - (g) Fulton/HighPoint Chevrolet Employee Healthplan Booklet; and
  - (h) Summary of Outstanding/Unpaid Balances.

(3) The defendants are being defended in this action pursuant to the terms of a liability insurance policy issued by Great American Custom under policy No. TER 558-11-91. The policy provided coverage to Sieba Ltd., with Professional Liability Coverage limits of \$1,000,000 in excess of a \$25,000 Self-Insured Retention. The policy provided coverage for claims first made against the Insured during the policy, reported to the carrier within the policy period, and related to a wrongful act that took place on or after the Retroactive Date of October 1, 1999.

Dated: Garden City, New York  
October 8, 2007

Respectfully submitted,

L'Abbate, Balkan, Colavita & Contini, L.L.P.

By:

  
Peter L. Contini, Esq. (PLC 0169)  
Attorneys for Defendants  
Sieba, Ltd.  
1001 Franklin Avenue, Third Floor  
Garden City, New York 11530  
(516) 294-8844

TO: Jeffrey S.E. Sculley, Esq.  
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655 Little Britain Road  
New Windsor, New York 12553  
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BURKE, MIELE & GOLDEN, LLP  
Attorneys for Defendants  
Fulton Chevrolet-Cadillac Co., Inc.,  
Fulton Chevrolet Co., Inc.,  
Highpoint Chevrolet, Inc. and  
Fulton/High Point Chevrolet  
Group Health Benefit Program  
30 Matthews Street, Suite 303A  
P. O. Box 216  
Goshen, New York 10924  
(845) 294-4080

**AFFIDAVIT OF SERVICE**

STATE OF NEW YORK )  
                        )  
                        ) SS.:  
COUNTY OF NASSAU )

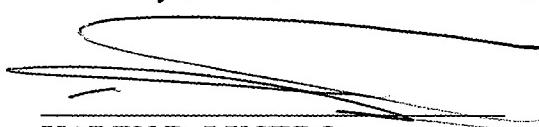
**KAREN R. LUCERO**, being duly sworn, deposes and says that deponent is not a party to the action, is over 18 years of age and resides at Nassau County, New York.

That on the 8<sup>th</sup> day of October, 2007, deponent served the within **RULE 26 DISCLOSURE** upon:

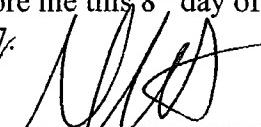
Jeffrey S.E. Sculley, Esq.  
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655 Little Britain Road  
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30 Matthews Street, Suite 303A  
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(845) 294-4080

the attorney(s) for the respective parties in this action, at the above address(es) designated by said attorney(s) for that purpose by depositing same enclosed in a postpaid, properly addressed wrapper, in an official depository under the exclusive care and custody of the United States Post Office within the State of New York.

  
**KAREN R. LUCERO**

Sworn to before me this 8<sup>th</sup> day of  
October, 2007.

  
Notary Public

PETER L. CONTINI  
Notary Public, State of New York  
No. 4637417  
Qualified in Suffolk County  
Commission Expires July 31, 2010